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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fifth year

Identical letters dated 10 November 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In yet another display of its blatant contempt for international law and for the clear position of the international community, Israel, the occupying Power, continues with its unlawful and destructive settlement activities in the Occupied Palestinian Territory, particularly in and around Occupied East Jerusalem.

We write to you today to place on record our total condemnation and rejection of the plans announced yesterday by the Israeli Government for the construction of another 1,300 settlement units in Occupied East Jerusalem. It cannot be ignored that this provocative announcement has been made at a critical period during which all efforts are being exerted internationally and regionally, including by the United States of America, the Quartet and the League of Arab States, to overcome the deadlock, encourage confidence and trust between the two sides and resume the peace process. The timing and audacity of such declared intentions by the occupying Power affirm the fact that Israel remains insistent on pursuit of this illegitimate campaign in defiance of the repeated calls and appeals from around the world to cease all such illegal activities in the Occupied Palestinian Territory, including East Jerusalem. Moreover, it is a reaffirmation of the rejection by Israel of its legal obligations under international law and United Nations resolutions and under the Quartet Roadmap, as well as its rejection of the two-State solution for peace on the basis of the pre-1967 borders.

Reflecting Israel's scorn for the international community and the rules and principles governing international relations, the Prime Minister of Israel has persisted in ridiculing and rejecting the unanimous international position in this regard by repeatedly making provocative statements in addition to such deplorable announcements and the ongoing incitement on the ground by other Israeli officials and the illegal settlers. Yesterday, the Prime Minister flagrantly declared: "Jerusalem is not a settlement. It is the capital of the State of Israel", and vowed to continue illegal settlement construction there. Such statements, which only seek to distort the

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reality of this illegal situation and to promote the perverse Israeli narrative in this regard, should be firmly condemned and rejected by the international community at all levels.

Israel's settlement construction and all other ongoing colonization activities in the Occupied Palestinian Territory, including East Jerusalem, constitute grave breaches of international humanitarian law, particularly the Fourth Geneva Convention, which strictly prohibits such activities. Moreover, at this crucial moment, it must be recalled that the Security Council of the United Nations has taken a very clear and strong position in rejection of Israel's illegal settlement in numerous resolutions, including specific resolutions regarding all such measures in Occupied East Jerusalem. The Council has repeatedly reaffirmed the inadmissibility of the acquisition of territory by force; reaffirmed the illegality and invalidity of all measures causing change to the legal status, geographic nature and demographic composition of the Arab territories occupied since 1967, including Jerusalem; reaffirmed that East Jerusalem remains a part of the Palestinian Territory occupied since 1967, and rejected Israel's imposition of the so-called "Basic Law" on the City, deeming this provocative action illegal, null and void. Moreover, the Security Council, along with the General Assembly and the International Court of Justice, has unequivocally called for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including in East Jerusalem.

The announcement of such plans by the Israeli Government, and its continued construction and expansion of settlements and of the Wall in the Occupied Palestinian Territory are not only indicative of Israel's absolute disdain for the norms and laws that civilized nations live by and honour, but also exposes the occupying Power's intentions to sabotage all efforts to revive the peace process. Clearly, Israel seeks to perpetuate and entrench its illegitimate 43-year military occupation and control of the Palestinian Territory, rather than complying with international law and cooperating with the international efforts to bring a definite end to this occupation, which is universally agreed to be in the interest of regional and global peace. In this regard, it is imperative to reiterate what we have stated on numerous occasions: Israel's illegal settlement activities and the peace process are not compatible and cannot coexist. One negates the other, and it is abundantly clear which one the Government of Israel has chosen.

Before concluding, we must also draw attention to the fact that this settlement construction announcement comes at a time when Israeli peace activists have also exposed the complicity of the Israeli Government with extremist settler organizations, such as "Aatirt Cohanim" and "Elad", in seizing Palestinian property in Occupied East Jerusalem by means of coercion and forgery. The peace activists have detailed the means by which the Israeli authorities have been facilitating the unlawful actions and attempts by settlement groups that work in secret to flood the Old City of Jerusalem with illegal settlers through such illicit means.

Furthermore, Israeli media sources have revealed a plan to expand the illegal settlement of "Ariel" on Palestinian lands confiscated from the Nablus Governorate in the northern Occupied West Bank. If implemented, this planned settlement expansion would completely encircle the adjacent city of Salfit. Additional reports also reveal that 66 Jewish settler families have recently settled in the "Ras al-Amud" neighbourhood in Occupied East Jerusalem in the context of a wider settler plan in the neighbourhood that has been ongoing for nearly three years during which the

construction of dozens of settlement units were built in the neighbourhood in the form of "forts".

We welcome the many statements from around the world that rightly condemn such provocative declarations and all such illegal actions by Israel, the occupying Power. At the same time, however, we believe that, at this extremely fragile and tense juncture, serious action is necessary to confront these grave developments. What is needed now is a serious stance in the face of such provocations, including practical measures to compel Israel, the occupying Power, to comply with its international legal obligations and the international consensus in this regard. In particular, we call upon the Security Council of the United Nations to uphold its Charter responsibilities and to immediately address this ongoing breach of international law, which undeniably constitutes a threat to regional and international peace and security.

Moreover, we believe that the actions of the international community must correspond in their seriousness to the gravity of this situation as well as to the declared position in support of the achievement within one year of an independent, viable, sovereign State of Palestine, living side by side in peace and security with Israel on the basis of the pre-1967 borders in accordance with the two-State solution based on the agreed terms of reference. This can only be achieved by ensuring that Israel, the occupying Power, cease immediately, all illegal and provocative actions that perpetuate the occupation or otherwise face serious and real consequences. The international message should be unmistakable: the only way forward and the only way to achieve a just, lasting and comprehensive peace is through steps that usher a complete end of Israel's 43 year occupation of Palestine and empower the Palestinian people to live as a free and dignified people in their independent homeland.

This letter is in follow-up to our previous 377 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 15 October 2010 (A/ES-10/504-S/2010/535) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine
to the United Nations